

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KEVIN ALFRED GOBERT,

Defendant.

CR-11-47-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on June 15, 2020. (Doc. 151.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on June 15, 2020. (Doc. 150.) The United States accused Gobert of violating his conditions of supervised release 1) by failing to report for sex offender treatment; 2) by using methamphetamine on two separate occasions; and 3) by failing to follow the instructions of his probation officer. (Doc. 148). At the revocation hearing, Gobert admitted that he had violated the conditions of his supervised release: 1) 1) by

failing to report for sex offender treatment; 2) by using methamphetamine on two separate occasions; and 3) by failing to follow the instructions of his probation officer. (Doc. 150.) Judge Johnston found that Gobert's violations proved to be serious and warranted revocation, and recommended that Gobert receive a custodial sentence of 4 months, with no supervised release to follow. (Doc. 151.) Gobert was advised of the 14 day objection period and his right to allocute before the undersigned. Gobert waived those rights. (Doc. 150.)

The violations prove serious and warrant revocation of Gobert's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 151) are **ADOPTED IN FULL**.

IT IS FURTHER ORDERED that Defendant Kevin Alfred Gobert be incarcerated for a term of 4 months of custody, with no supervised release to follow.

DATED this 23rd day of June, 2020.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court